

REMARKS

The Examiner rejected claims 31, 32, and 34 under 35 U.S.C. § 102(b), as allegedly being anticipated by King (U.S. Patent No. 1,311,354).

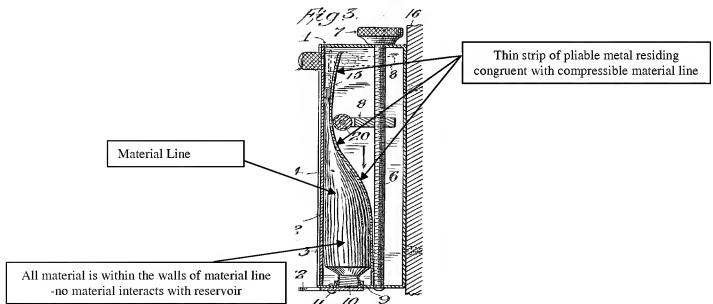
The Examiner rejected claims 23, 25, 26, and 33 under 35 U.S.C. § 103(a) as allegedly being obvious in light of King (U.S. Patent No. 1,311,354).

Applicants respectfully traverse the § 102 and § 103 rejections with the following arguments.

35 U.S.C. § 102(b)

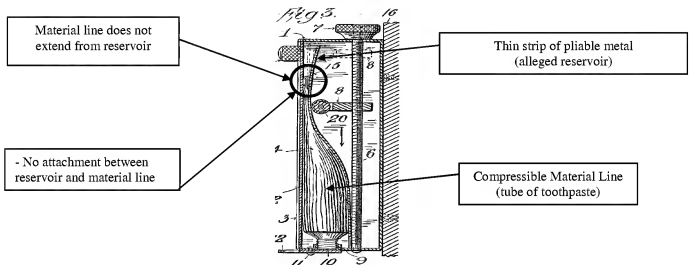
The Examiner rejected claims 31, 32, and 34 under 35 U.S.C. § 102(b), as allegedly being anticipated by King (U.S. Patent No. 1,311,354).

Applicants respectfully contend that King does not anticipate claim 31, 32, and 34 because King does not teach, disclose, or suggest each and every element of the claims. For example, King discloses a thin strip of pliable metal 15 which the Examiner interpreted as a reservoir (King, col. 2, l. 84-85). The Examiner further stated that the thin strip of pliable metal 15 anticipated the reservoir in the claimed invention. However, a thin strip of metal cannot directly hold a quantity of material. Accordingly, the alleged reservoir in King does not directly hold any material. All of the material in King is held **within the compressible material line** (e.g. tube of toothpaste), and none of the material interacts with the alleged reservoir, or thin metal strip 15. Therefore, the alleged reservoir in King **does not and can not directly hold any material**. Furthermore, King does not disclose providing a compressible material line, the compressible material line being attached to and extending from the reservoir.



Rather, the alleged reservoir of King (the thin metal strip 15), is positioned congruent the compressible line (tube of toothpaste). There is no attachment of the tube of toothpaste to the metal strip; there is no extension of the tube of toothpaste from the metal strip.

In contrast, the reservoir, such as reservoir 101, of the claimed invention **directly holds** dispensing material, and that material is then passed from the reservoir **through the attached compressible material line extending therefrom**, such as material line 102, and continues on to the dispensing end, such as dispensing needle 104 (See, for example, FIG 4). Because King does not disclose a reservoir that directly holds the dispensing material nor do the teachings of King provide a compressible material line attached to and extending from the reservoir, the reference does not anticipate the limitations of claims.



Based on the arguments presented above, the applicant respectfully requests reconsideration and removal of the anticipation rejection because King does not disclose, teach, disclose, or suggest each and every element of claims 31, 32, and 34.

35 U.S.C. § 103(a)

The Examiner rejected claims 23, 25, 26, and 33 under 35 U.S.C. § 103(a) as allegedly being obvious in light of King (U.S. Patent 1,311,354).

Applicants respectfully contend that claim 23 is not obvious in light of King, because King does not teach or suggest each and every feature of claim 23. For example, King does not teach or suggest a metering device comprising “a material holding system attached to said frame and configured to hold a reservoir, wherein the reservoir directly holds a quantity of material, and wherein a compressible line is attached to and extends from the reservoir.” As discussed supra, the thin metal strip 15 (or alleged reservoir) of King does not directly hold a quantity of material. Moreover, the compressible material line (or tube of toothpaste) is not attached to the thin metal strip 15, nor does it extend from the thin metal strip 15. Hence, King fails to reach the limitations of the claim. Based on the preceding arguments, Applicants respectfully maintain that claim 23 is not unpatentable over King, and that claim 23 is in condition for allowance. Since claims 25 and 26 depend from claim 23, Applicants contend that claims 25 and 26 are likewise in condition for allowance.

Applicants respectfully contend that claim 33 is not obvious in light of King because King (see discussion above) does not teach each and every aspect of claim 31. Since claim 33 depends from claim 31, Applicants contend that claim 33 is likewise in condition for allowance.

CONCLUSION

Based on the preceding arguments, Applicants respectfully believe that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicants invites the Examiner to contact Applicants' representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 19-0513.

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/Jonathan M. Madsen/

Jonathan M. Madsen
Registration No.: 55,419

Schmeiser, Olsen & Watts
22 Century Hill Drive – Suite 302
Latham, New York 12110
(518) 220-1850